

TABLE OF CONTENTS

Table of authorities.....	i
Statement of the Case.....	1
Statement of the Facts.....	1-9
Argument.....	10-35
I. Standard of Review.....	10-12
II. The Agency intentionally withheld material, exculpatory evidence in violation of Martin’s right to due process.....	12-21
A. The Agency erred by withholding evidence to which Martin is entitled for Constitutionally adequate notice.....	13
B. The Agency erred failing to provide the entire Administrative record.....	13-15
C. The Agency erred in refusing to provide requested Section 7114b information.....	15-16
D. The Agency erred in failing to undertake Agency Procedures existing to avoid Agency due process violation.....	16-17
E. The DAB refused to correct the Agency due process Violations, compounding them instead.....	17-21
III. The Agency decision was arbitrarily made without substantial Evidentiary support in disregard of law and proper procedure.....	21-35
A. Agency findings and conclusions were obtained in violation of instruction given to abide by the proper procedure, VA Handbook 0700.....	21-25
B. Agency findings and conclusions are unsupported by Substantial evidence.....	25-32
C. Agency findings and conclusions are unsupported by law Or regulation.....	32-35
Conclusion.....	35
Addendum.....	
VA Handbook 0700.....	A-1; A-1 thru O-1
Local Labor Agreement.....	A-2; 1-64